

State of South Dakota

SEVENTY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 1999

591C0791

HOUSE BILL NO. 1262

Introduced by: Representatives Apa, Crisp, Napoli, and Sutton (Duane) and Senators Albers and Brown (Arnold)

1 FOR AN ACT ENTITLED, An Act to provide a procedure to form a road district if there is
2 three or less landowners.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 31-12A-1 be amended to read as follows:

5 31-12A-1. ~~A populated~~ Any area outside the boundary of a municipality, which is situated
6 so that the construction or maintenance of roads becomes desirable, may be incorporated by its
7 landowner or landowners as a road district pursuant to this chapter.

8 Section 2. That chapter 31-12A be amended by adding thereto a NEW SECTION to read
9 as follows:

10 Notwithstanding any other provision of chapter 31-12A, one, two, or three landowners may
11 form a road district pursuant to this chapter. If there are three or less landowners, each
12 landowner shall be a trustee at large and no election of trustees is required. After the district is
13 incorporated and the number of landowners within the district is five or more, the district shall
14 conduct an election pursuant to § 31-12A-16. The district shall conduct the election on the next
15 anniversary date of the formation of the district.